FBI Approved Standards for Scientific Testimony and Report Language for the Friction Ridge Discipline

1 Purpose

This document provides examples of the statements approved for reporting examination results and providing expert conclusions and opinions during testimony by FBI examiners within the Friction Ridge Discipline. It is noted that these examples are not intended to be all-inclusive and may be dependent upon the precedent set by the judge or locality in which testimony is provided. Furthermore, these examples are not intended to serve as precedent for other forensic laboratories and do not imply that statements by other forensic laboratories or those made in previous FBI Friction Ridge Discipline reports or testimony are incorrect, indefensible, or erroneous.

2 Scope

This document applies to Friction Ridge Discipline examiners who communicate results and/or provide testimony.

3 General Information

3.1 The examiner will ensure that all communications of Friction Ridge Discipline results are consistent with the statements contained within this document.

3.2 The examiner will ensure that their testimony related to Friction Ridge Discipline examinations is consistent with the statements contained within this document.

3.3 An Administrative Reviewer will ensure that Friction Ridge Discipline communications of results that undergo administrative review are consistent with the statements contained within this document.

3.4 To ensure compliance with the statements contained within this document, all Friction Ridge Discipline testimony will be reviewed in accordance with the FBI Laboratory Operations Manual, Practices for Testimony Related Activities.

4 Statements Approved for FBI Friction Ridge Discipline Examination Testimony and/or Communications of Results

4.1 Identification

Identification is an examiner's conclusion that two friction ridge prints originated from the same source. The conclusion is an examiner's decision that the observed friction ridge skin features are in sufficient correspondence such that the examiner would not expect to see the same arrangement of features repeated in a print that came from a different source and has found insufficient friction ridge skin features in disagreement to conclude that the prints came from different sources.

The basis for an identification conclusion is an examiner's decision that the observed corresponding friction ridge skin features provide extremely strong support for the proposition that the two prints came from the same source and extremely weak support for the proposition that the two prints came from different sources.

An identification is the statement of an examiner's opinion (an inductive inference[1]) that the probability that the two prints were made by different sources is so small that it is negligible. An identification is not based upon a statistically-derived or verified measurement or actual comparison to all other friction ridge print features. The terms identification and source identification are interchangeable.

4.2 Exclusion

Exclusion is an examiner's conclusion that two friction ridge prints did not originate from the same source. The basis for an exclusion is an examiner's decision that the observed friction ridge skin features are in sufficient disagreement and provide extremely strong support for the proposition that the two prints came from different sources and extremely weak or no support for the proposition that the two prints came from the same source. The terms exclusion and source exclusion are interchangeable.

4.3 Inconclusive

Inconclusive is an examiner's conclusion that there is insufficient quantity and/or clarity of corresponding friction ridge skin features between two prints such that the examiner is unable to identify or exclude the two prints as originating from the same source. The basis for an inconclusive conclusion is an examiner's decision that an identification or exclusion cannot be made due to insufficient information in either of the two prints examined. The conclusion can be based on insufficient information in either a latent print or a known print.

[1] "By the process of induction or inference, predictions about new situations are inferred or induced from the existing body of knowledge. In other words, an inference is a generalization, but one that is made in a logical and scientifically defensible manner." Oxford Dictionary of Forensic Science 130 (2012).

5 Statements Not Approved For FBI Friction Ridge Discipline Examination Testimony and/or Communications of Results

5.1 Uniqueness and Exclusion of All Other Sources

An examiner shall not assert that an identification or exclusion conclusion is based on the uniqueness[2] of an item of evidence. In addition, an examiner shall not assert that two friction ridge prints originated from the same source to the exclusion of all other sources or use the terms "individualize" or "individualization." This may wrongly imply that an identification is based upon a statistically-derived or verified measurement or comparison to all other friction ridge skin prints , rather than the examiner's expert conclusion.

5.2 Zero Error Rate

An examiner shall not assert that friction ridge print examination is infallible or has a zero error rate.

5.3 Statistics or Probability

An examiner shall not provide a conclusion that includes a statistic or numerical degree of probability except when based on relevant and appropriate data.

5.4 Measure of Accuracy

An examiner shall not cite the number of friction ridge print examinations performed in their career as a direct measure for the accuracy of a conclusion provided. An examiner may cite the number of friction ridge print examinations performed in their career for the purpose of establishing, defending, or describing the examiner's qualifications or experience.

5.5 Scientific Certainty

An examiner shall not assert that two friction ridge prints originated from the same source with absolute or 100% certainty; or use the expressions "reasonable degree of scientific certainty,", "reasonable scientific certainty,", or similar assertions of reasonable certainty in either reports or testimony unless required to do so by a judge or applicable law.[3]

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[2] As used in this document, the term 'uniqueness' means having the quality of being the only one of its kind. OXFORD ENGLISH DICTIONARY 804 (Oxford Univ. Press 2012).

[3] See *Memorandum from the Attorney General to Heads of Department components* (Sept. 9, 2016), http://www.justice.gov/opa/file/891366/download.

6 References

The Department of Justice Uniform Language for Testimony and Reports for the Forensic Latent Print Discipline, Department of Justice. Latest revision.

FBI Laboratory Quality Assurance Manual. Federal Bureau of Investigation, Laboratory Division. Latest Revision.

FBI Laboratory Operations Manual. Federal Bureau of Investigation, Laboratory Division. Latest Revision.

Memorandum from the Attorney General to Heads of Department components (Sept. 9, 2016), http://www.justice.gov/opa/file/891366/download.

Oxford English Dictionary 804 (2012).

Oxford Dictionary of Forensic Science 130 (2012).

Rev. #	Issue Date	History
3	07/25/18	Definitions and Not Approved Statements updated to better mirror the Department of Justice Uniform Language for Testimony and Reports for the Forensic Latent Print Discipline.
4	04/17/20	Changed Latent Print Unit and Latent Print to Friction Ridge Discipline throughout document. Minor wording, grammar, and punctuation changes in document. Updated wording to agree with updated Department of Justice issued document. Modified to meet current Laboratory documents regarding testimony monitoring. Switched Sections 3.2 and 3.3. Removed Section 6 and Section 7 and renumbered.

Approval

Redacted - Signatures on File

Friction Ridge Discipline
Technical Leader . Date: 04/16/2020

Latent Print Operations
Unit Chief . Date: 04/16/2020

Acting Latent Print Support
Unit Chief . Date: 04/16/2020

Acting Scientific and
Biometrics Analysis Unit Chief . Date: 04/16/2020

QA Approval

Quality Manager . Date: 04/16/2020